

A BLUEPRINT OF FORT ROSEGRANS

Japanese Servant There Ejected For Having One in His Possession.

POSSIBLY HE IS AN OFFICER.

Any Rate He is a Man of Superior Attainments—No Punishment For His Offense.

San Diego, Cal., July 12.—It is learned tonight from a trustworthy source that in addition to the Japanese detected in making sketches at Fort Rosegrans, a few days ago, another was ejected from the fort today for having a blueprint of the works in his possession. This latter Japanese was employed as a servant at the fort. He is a man of superior attainments. In his room was found a standard work on engineering. The blueprint was well drawn and showed much technical skill, but was not quite completed. Mr. Gatchell still positively refuses to admit or deny that Japanese have been detected in spying at the fort, but from others in a position to know the facts, the report is confirmed.

NO STATUTE ON SUBJECT.

Washington, July 12.—Officials of the War Department have been advised that they did not recall any statute covering the act of an individual who might be detected making drawings of a fort or other government building in a military reservation. The officials said, however, that such reservations are subject to such regulations as the War Department may promulgate. Any one on a reservation without the right to be there, if found doing so, is liable to arrest or any other punishment provided. These observations were suggested as a result of the reported arrest of a Japanese at Fort Rosegrans, Cal., while engaged in making drawings of the defenses there.

Mr. Gatchell has not yet reported such an arrest to the War Department, and the Japanese embassy officials say they have no information regarding the arrest of one of their countrymen for drawing plans of Fort Rosegrans.

The orders of the War Department are very strict regarding the visits of persons to the coast and lake defenses and it is provided that neither written nor pictorial descriptions of these works are to be made or carried away without the authority of the secretary of war, nor is any information to be given out concerning them not contained in the printed reports. Commanding officers of posts at which are located lake or coast defenses are charged with the responsibility of preventing as far as practical, persons from obtaining information relative to such defenses which would probably be communicated to a foreign power. In the opinion of the officials, Mr. Gatchell, under whose authority the arrest was made at Fort Rosegrans, cannot in the absence of any statute inflict any punishment on the offending Japanese. He would have been justified in putting him off the reservation. If the offender persisted that he might destroy the drawings or even smash a camera if one were being used.

The offender might return the very next day and the same proceedings might be repeated.

Later in the day Mr. Miyakawa, the counselor of the Japanese embassy called on Acting Secy. Ade to ascertain whether the government had received any notice of the reported arrest of the Japanese at Fort Rosegrans. He was told that neither the state nor the War Department had been so advised.

OKLAHOMA CONSTITUTION.

Convention Adopts a Number of Important Amendments.

Guthrie, Okla., July 12.—The constitutional convention this morning struck out section 2 of article 3, relating to the suffrage in members of the regular army and navy and adopted this substitute:

"For the purpose of voting, no member of the regular army or navy of the United States shall gain a residence in this state by reason of being stationed in this state, nor shall any such person have his residence in the state when absent on military or naval service from this state."

The action prohibiting firms, per-

sons, corporations, etc., from selling commodities at a lower rate in one portion of the state than in another was modified by permitting the legislature to enact at different laws, and further conditions were imposed making more difficult the proof that the difference in price was for the purpose of destroying competition in trade. The section originally was aimed at the Standard Oil company.

Justices of the peace courts are deprived of concurrent jurisdiction with district courts. As the section stood it was believed that the justice of the peace could grant divorces.

Section 8 of article 23 was changed to read:

"Any provisions of a contract, express or implied, made by any persons, by which any of the benefits of this constitution is sought to be waived, shall be null and void."

The words "or of any law made in accordance therewith," were stricken out after the word "constitution."

Section 6 of the schedule was amended to make women eligible for election to the position of county superintendents of schools.

This section was added to the schedule.

"The terms of all officers of the state government elected at the time of the adoption of this constitution shall begin upon the admission of the state into the Union."

AGREEMENT WITH CATHOLIC CHURCH IN PHILIPPINES

Washington, July 12.—An agreement has been reached between the secretary of war and the representatives of the Catholic church in the Philippines regarding a number of important matters of controversy which will obviate the necessity of prolonging threatening and vexatious litigation. Regarding the landed properties, the agreement provides that the Roman Catholic church, through the archbishop of Manila, shall possess absolute title to the land and property pertaining to the hospital of San Jose, the hospital of San Juan de Dios, the college of Santa Isabel. These properties are valued at \$2,068,000. The church relinquishes to the government of the Philippines all claims and demands upon the estate of Santa Potenciana and upon the hospital and foundation of Santa Jazza, except that the archbishop is to retain possession of the block in which the present Santa Cruz cemetery is situated. The Spanish-Philippine bank dispute also was settled, by which all claims to the exclusive privileges and to note issues beyond the amount approved by the American government are abandoned; but upon the other hand, the bank receives the confirmation without litigation and important privileges.

CONGO CONDITIONS.

Brussels, July 12.—Maj. Lomair, who served 18 years in the Congo and who resigned when notified he would be prosecuted for cruelty toward native soldiers, retaliated today by publishing a sensational exposure of the deplorable condition in the native army. He declared the soldiers are merely brigands who raid the populace, assault the women and burn the villages. The major adds that when he attempted to protect the natives by inflicting severe punishment upon the troops his disciplinary measures were rebuffed by his superiors. He insists that the real object of the Congo administration is preferring the charges was to get rid of him.

BANK EXAMINER ACQUITTED.

Towson, Md., July 12.—Walter E. Mason, formerly a national bank examiner and at one time president of the Commercial and Farmers' National bank of Baltimore, Md., who has been on trial here on charges of conspiracy to defraud the Mutual Reinsurance company, was today acquitted, the jury being out only a few minutes.

BACK FROM CANAL ZONE.

New York, July 12.—Miss Gertrude Becks, secretary of the welfare department of the National Civic federation, who visited the Panama canal zone to investigate the conditions under which the employees upon the canal are working, returned today aboard a 100 canal employees arrived to spend their vacations in the United States.

HUSLER'S FLOUR!

It is the proven product of selected wheat and scientific milling.

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BOXTON TELLS OF HIS ENTRAPMENT

At Home of One Roy, a Restaurateur, He Fell for Five Hundred Dollars.

THEN TURNED OVER TO LAW.

Officers With Statements of Proof, Offering to Let Him Go If He Would Turn on Confederates.

San Francisco, Cal., July 12.—Mayor Charles Boxton, mayor of volunteers in the Spanish war, head of the department of dentistry of the college of physician and surgeons, twice elected supervisor of the city and county of San Francisco, the first of the officials to fall into the net spread by the bribery-graft prosecution, today on the witness stand, in the Glass trial, told in detail the story of his entrapment last fall at the home of one Roy, a restaurateur, who, cooperating with the prosecution, bought for \$500 his supervisory vote against an ordinance prohibiting child patronage of skating rinks—only to turn him over to the law.

He told how Spreckels and Henry and Langdon and Burns "and a dozen others outside the doors," walked in on him and confronted him with statements of proof and threats of punishment; how they offered to let him go free if he would "turn up" his confederates and accomplices inside and outside of the board; how he, however, agreed, and a written guaranty of immunity was drawn up and signed and placed in Spreckels' pocket; how, at midnight, they sent him home under escort in an automobile, and thereafter for a week watched and guarded him like a prisoner.

Both the direct and cross-examination of Mayor Boxton was concluded within the day. Other witnesses called were President Homer S. King of the Bank of California, director of the Pacific States Telephone and Telegraph company, and Henry T. Scott and Frank G. Drum, respectively, president and director of that corporation. The last named is under indictment on charges of bribing 14 supervisors to fix the legal gas rate as 75 instead of 85 cents.

Into the cross-examination of Mayor Boxton, Atty. Delmas injected the identification by the witness of certain court papers connected with the attempt last fall to remove Dist. Atty. Langdon from office and appoint in his stead Abraham Ruef, the presumed object being to kill the graft investigation in the bud. The 18 supervisors, including Boxton, who were each and all guilty of the crimes of bribe taking or of any crimes, from this Delmas can argue to the jury that Boxton is a perjurer, and therefore his testimony against Glass in having accepted a bribe from Halsey of the telephone company is not worthy of belief.

The examination of Homer S. King was to draw from him the statement in effect that Louis Glass, as acting president of the Pacific States Telephone company, was the only official who had authority to sign checks or O. K. disbursements without authorization by the board of directors. The attempt was moderately successful.

Frank Drum was questioned at length about his part in the renting of rooms in the Mills building by Agent Halsey for the alleged purpose of paying bribe money to the supervisors. He said that he had introduced Halsey to Agent Cannon of the building, merely but he confessed that in a general way he knew from Halsey that the rooms were to be used for the interviewing of supervisors on the rival telephone subject, and that Halsey desired secrecy in the matter.

The examination of President Scott was to determine among other things that after the storm of the bribery prosecution broke, Glass shipped Halsey out of San Francisco in disguise to Manila, Hawaii, and that he was with a telephone company of which Glass is president, and also caused him to be carried on the payroll of the San Francisco company as pensioner in the sum of \$175 a month. All that Scott would testify to was that Halsey did go to Manila and that he (Scott) put him on the payroll.

As Saturday is the Jewish Sabbath, when no court can be held, the Israel synagogue, adjournment was taken until Monday.

REGULATIONS FOR THE USE OF BENZOATE OF SODA.

Washington, July 12.—The department of the agriculture today promulgated regulations governing the use of benzoate of soda and sulphur fumes as preservatives of fruits and other foods, which regulations were prepared by the board of food and drug inspection and approved by the secretaries of agriculture, treasury and commerce and labor in accordance with the provisions of the law that products shall not contain substances which lessen their wholesomeness, orders were issued that the drug, chemical or harmful or deleterious dyes, or preservatives, should be used. Protests coming in great numbers from the National Food association and the California fruit growers caused the federal authorities to temporarily withhold its regulation. The statement issued today permits the use of common salt, sugar, water, smoke, potable distilled liquors and condiments, and pending further investigation the use of saltpetre.

The regulation declares that the label of each package of sulphur-foods or of foods containing sodium benzoate, or benzoic acid, shall bear a statement that the food is preserved with sulphur dioxide, or with sodium benzoate, or benzoic acid, as the case may be, and the label must not bear a serial number assigned to any guaranty filed with the department of agriculture nor any statement that the article is guaranteed to conform to the food drug act.

Certain coal tar dyes, bearing a guarantee from the manufacturer that they are free from subsidiary products and represent the actual substance of the dyes they bear may be used after having been tested and found free from harmful constituents.

The question of the entry into the United States of vegetables grown with copper salts has not been finally determined, pending the determination and decision of this matter by the secretary of agriculture, all vegetables grown with copper salts which do not contain an active amount of copper, will be admitted to entry if the label bears a statement that sulphate of copper or other copper salts have been used.

No prosecution will be based on the sale of foods and food products manufactured or packed in the United States prior to the issuing of this decision, where the composition of such foods and food products is at variance with the requirements of the United States, the nature of the variation be plainly stated on the label. In every case, however, the burden of proof will be on the manufacturer to show that the goods were manufactured or packed prior to the date of this decision.

CORPORATION CAPITALIZATION

Edward M. Shepard Discusses Its Evils and the Cure For Them.

PRESENT PLAN IS DECEIVING.

Facilitates Falsehood—It Would Abolish the Dollar Mark on Certificates of Stock.

Galesburg, Ill., July 12.—An address by Edward M. Shepard of New York on "Corporation Capitalization and Public Morals" was the feature of today's session of the annual meeting of the Illinois State Bar association.

The abolition of the purely nominal money capitalization of business corporations as a cure for the evils of over capitalization was set forth by Mr. Shepard in his address. The removal of the dollar mark from capital stock will, he believes, go far toward solving the problem.

"It is the falsity of the present plan of corporate capitalization which should condemn it," he said. "For the very reason that it facilitates deceit, the delusion of investors and insincere dealing with public sentiment by public officers, it should be ended, if there be a better plan. I think there is. I suppose that the share of stock shall have no dollar mark; that its only essential feature shall be a certificate of certification that it is one of a given total number of equal shares into which the enterprise is divided."

"Who lends a corporation money upon the nominal amount of its capitalization? The creditor who is sane considers, not the nominal, but the actual situation; his concern is with the corporation's realizable assets, its mortgage of lien debts, its floating debt, its gross income, its net income. Is not, however, the creditor entitled to know that the capital of which he has been assured shall not, until he is paid, be taken from the company in dividends, but remain a fund for his security? Indeed, he is entitled to know. Our system of nominal capitalization does not give him that assurance. The creditor might, however, require a corporation, as a condition of his extension of credit, to provide him with a statement of present and actual conditions, just as a broker requires a statement of solvency of a partnership whose note he places on the market. For carelessness or dishonesty in making such statements the common law provides ample remedy. The essential thing, therefore, to receive it, is that the basis of the dividend or of the credit shall be found in actual facts, not in nominal or nominal capitalization."

Mr. Shepard also spoke of the common law that the profits of railroads and other public service corporations should be restricted to 6 per cent. This, in his opinion, is a fallacy, and if so restricted would prevent industrial advancement.

"Private capital will not go into new and untried enterprises unless upon a promise that, in case of success, the profits shall exceed the rate of interest which could be earned upon assured investments," he said.

"Sensible capitalists will never take the risk of ruin or substantial loss unless they are offered a prospect of probable or possible profit. It is absurd to suppose that constructive genius and financial, and even moral courage would have carried railroads over the Allegheny mountains, or the Rockies or the Sierras, on the assumption that the enterprise failed a great loss would be borne by promoters, but that if the enterprise succeeded, then their profit should be limited to what they could have earned without risk by investing their capital on bond and mortgage."

"However, the owners of railroads and other like properties, in considerable part, have themselves to thank. If from the beginning they had openly insisted that their risks should be compensated by large profits, just as the right of a pioneer manufacturer or the merchant who loads a ship for Cathay; if in this matter there had been neither concealment, nor insincerity, nor juggling of figures, there would today be less of the notion that railroad rates ought to be adjusted to produce not more than 4 or 5 or 6 per cent."

Vudor Porch Shades and Vudor Hammocks 20 per cent off. Z. C. M. I. Carpet dept.

BANK MESSENGER WILSON.

Arrested and Held in \$5,000 Bail for Examination Monday.

New York, July 12.—Henry J. Wilson, former messenger of the First National bank, who says he was robbed of \$17,175 in cash while collecting for the bank July 1, was arrested today and held in \$5,000 bail for examination Monday. Notes and drafts to the amount of \$32,000, which Wilson asserted were stolen at the same time, have been returned to the bank. The messenger, after making the collections, did not return to the bank for several days, declaring that his pocket had been picked and that he feared he would be accused of theft. After the notes were restored to the bank he surrendered himself, but was not released until his story was investigated.

HELD EMPLOYEES IN PEONAGE.

Charleston, W. Va., July 12.—In the federal court today the Ritter Lumber company of Meben pleaded guilty to an indictment charging conspiracy to hold employees in peonage. The charge contained 20 counts, the minimum fine on each being \$1,000. Fine will be imposed later. These indictments followed an investigation by the national government at the request of the Italian ambassador.

Art Piece of China Free

Commencing June 15 and continuing one month, each case of

Carnation Wheat Flakes

sent out will contain one package with a special prize, an art piece of English china of exceptional value and beauty—Royal Cobalt Blue with heavy gold incrustation.

Our select semi-porcelain ware will continue as usual, not be returned to cheapen the price and menace life.

SEE YOUR GROCER.

Pacific Cereal Association

Our Popular Six Per Cent Certificates.

are secured by first mortgages (double value) and a special withdrawal fund as well as by the bank's capital and surplus of \$300,000.00. They are free from taxation, redeemable on short notice, and double themselves in twelve years, if the interest is left to be compounded.

Salt Lake Security & Trust Co., 32-34 Main Street.

Come Down to HEWLETT'S and "Get Acquainted"

with the largest, cleanest and most modern tea and coffee plant between the Missouri River and the Coast.

We are always glad to have visitors, and it is always a pleasure to show them through the entire plant.

HEWLETT BROS., CO. 730-746 South State St.

Schramm's Saturday Sweets are for those of cultured taste who are capable of making price distinction.

First attraction: —Chocolate Teasers 25c The Pound Next Saturday

The smooth blend of chocolate and highly flavored cream.

"SCHRAMMS"

Where the cars stop. All Depot Cars Stop here Now.

Bell Phone Ind. Phone Exchange 7. 86

ROBINSON'S PATENT BARLEY THE ONLY INFANT FOOD. All Grocers and Druggists.

NOT TO BE TRIFLED WITH.

If your eyes have become weak or sight affected, by all means avoid poor glasses. Good glasses correctly fitted are cheaper at any price.

J. H. KNICKERBOCKER, O. D., Practical Optician. 143 Main St.

TRIB

A guaranteed cure for the Liquor and Tobacco Habits.

PRICE \$12.50

Schramm's, Where the Cars Stop, Sole Agency.

Preserve your Sheet Music

and books by having them bound. We bind artistically and durably.

THE DESERT NEWS.

THE LAGOON ROAD.

Salt Lake and Ogden Railway. Time Table in effect June 1, 1907.

Trains leave Salt Lake, Ogden and Farmington.

8:50 a.m. 7:15 a.m. 10:00 a.m. Local. 12:00 p.m. 2:30 p.m. 4:00 p.m. 5:00 p